

REMARKS

The Examiner is thanked for the indication that claims 17-18 and 30-31 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1, 4, 6-8, 11-12, 14-16, 18-20, 22-23, and 25 are presented for consideration. Claims 1, 15, and 19 are independent. Claims 1, 4, 7-8, 11-12, 14-15, 18-19, and 25 have been amended and claims 2-3, 5, 9-10, 13, 17, 21, 24, and 26-31 have been canceled. It is believed that these changes introduce no new matter and their entry is respectfully requested.

Objection to Claims 13 and 17

In paragraph 1 the Office Action, the Examiner objected to claim 13 stating that the claim does not have a period at the end. In paragraph 2 the Office Action, the Examiner objected to claim 17 stating that the claim appears to be missing some prepositions. By the foregoing Amendment, Applicants have canceled claim 13 rendering the objection to it moot have amended claim 17 to accommodate the Examiner's objection. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the objection to claims 13 and 17.

Rejection of Claim 10 Under 35 U.S.C. §112

In paragraph 3 of the Office Action, the Examiner rejected claim 10 under 35 U.S.C. §112 as stating that the term "the speculative thread in line 2 lacks antecedent basis. By the foregoing Amendment, Applicants have canceled claim 10 to render moot the Examiner's rejection. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the rejection claim 10.

Rejection of Claims 1-5, 8-13, 15-16, 19-23, and 26-29 Under 35 U.S.C. §102(e)

In paragraph 7 of the Office Action, the Examiner rejected claim 1-5, 8-13, 15-16, 19-23, and 26-29 under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,389,446 to Torii et al. (hereinafter "Torii"). A claim is anticipated only if each and every element of the claim is found in a reference. (MPEP §2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). The identical invention must be shown in as complete detail as is

contained in the claim. *Id. citing Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989)). Applicants respectfully traverse the rejection.

Claims 1, 15, and 19 have been amended to include the subject matter of claim 15 and 17, which the Examiner indicated would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicants respectfully submit that claims 1, 15, and 19 are now in condition for allowance. Claims 2-3, 5, 9-10, 13, 21, 24, and 26-29 have been canceled rendering the rejection of them moot. Applicants respectfully submit that claims 4, 8, and 11-12 properly depend from allowable claim 1 and thus are allowable. Applicants respectfully submit that claims 16 and 18 properly depend from allowable claim 15 and thus are allowable. Applicants respectfully submit that claims 20 and 22-23 properly depend from allowable claim 19 and thus are allowable. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the rejection claims 1-5.

Rejection of Claims 1-6, 13-14, and 19-25 Under 35 U.S.C. § 103(a)

In paragraph 9 of the Office Action, the Examiner rejected claims 1-6, 13-14, and 19-25 under 35 U.S.C. § 103(a) as being unpatentable over “Speculative Data-Driven Multithreading” by Roth (hereinafter “Roth”) in view of “threaded Multiple Path Execution” by Wallace (hereinafter “Roth”). To establish a *prima facie* case of obviousness, an Examiner must show three things: (1) that there is some suggestion or motivation to modify a reference or combine reference teachings to arrive at the claimed invention, (2) that there must be a reasonable expectation of success, and (3) that the references teach or suggest each and every element of the claimed invention. (MPEP §2143) Applicants respectfully traverse the rejection.

Claims 1 and 19 have been amended to include the subject matter of claim 15 and 17, which the Examiner indicated would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicants respectfully submit that claims 1 and 19 are now in condition for allowance. Claims 2-3, 5, 13, 21, and 24 have been canceled rendering the rejection of them moot. Applicants respectfully submit that claims 4, 14, and 25 properly depend from allowable claims 1 or 19 and thus are allowable. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the rejection claims 1-6, 13-14, and 19-25.

Rejection of Claims 6-7 and 14 Under 35 U.S.C. § 103(a)

In paragraph 10 of the Office Action, the Examiner rejected claims 6-7 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Torii. Applicants respectfully traverse the rejection. Applicants respectfully submit that claims 6-7 and 14 properly depend from allowable claim 1 and thus are allowable. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the rejection claims 6-7 and 14.

CONCLUSION

Applicants respectfully submit that all grounds for rejection have been properly traversed, accommodated, or rendered moot and that the application is now in condition for allowance. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

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